

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**AUGUST 16, 2005**

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**COUNTY COMMISSIONERS**

**Jennifer Hill, Chairman**

**Catherine C. Hanson, Vice Chairman**

**Robert A. Pool, District #2**

**Debbie Stivender, District #3**

**Welton G. Cadwell, District #5**

**Cindy Hall, County Manager**

**Sanford A. Minkoff, County Attorney**

**James C. Watkins, Clerk to the Board**

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**DISCLAIMER**

**This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.**

**As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.**

**The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.**

## **ITEMIZED AGENDA**

**August 16, 2005**

9:00 A.M.      Invocation

Pledge of Allegiance

### **I.      AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

### **II.     MINUTE APPROVAL**

Tab 1              Approval of the following Minutes:

July 19, 2005              Regular Meeting

### **III.    CLERK OF COURT'S CONSENT AGENDA**

Tab 2              Approval of Clerk of Courts' Consent Agenda (Items 1 through 8):

1.      Contractor Bonds – New and Riders – Approval.
2.      Proof of publication of unclaimed moneys and payment to the Board for those moneys advertised, less claims and publication costs – Acknowledge receipt.
3.      Legal Notice: Notice of Application for a Transfer of Majority Organizational Control. Notice is hereby given on July 26, 2005, pursuant to Section 367.071, Florida Statutes, of the application for transfer of majority organizational control of Utilities, Inc., to Hydro Star, LLC. This application is not a request to change the rates of any of the listed subsidiaries, wholly owned subsidiaries of Utilities, Inc., which are certificated by the Florida Public Service Commission and their counties of operation. Included in Lake County, Florida are: Lake Utility Services, Inc., and Utilities, Inc. of Pennbrooke – Acknowledge receipt.

4. Annexation ordinances, passed and ordained the 6<sup>th</sup> day of July 2005 by the City Council of the City of Tavares, Florida, acknowledge receipt as follows:

**Ordinance Number 2005-25** – amending the boundaries of the City of Tavares, by annexing approximately 6.89 acres east of the intersection of CR 448 and CR 561.

**Ordinance Number 2005-27** – amending the boundaries of the City of Tavares, by annexing approximately 1.43 acres at the northeast corner of the intersection of SR 19 and Lane Park Cutoff Road.

**Ordinance Number 2005-29** – amending the boundaries of the City of Tavares, by annexing approximately 1.05 acres on the north side of Dead River Road, west of the intersection of Dead River road and SR 19.

5. Southwest Florida Water Management District Governing Board Meeting Agenda for July 26-27, 2005, to be held at 2379 Broad Street, Brooksville, Florida; and Minutes of the Governing Board meeting, which was held May 24, 2005, in Brooksville, Florida – Acknowledge receipt.
6. Notice from the Florida Public Service Commission Docket Number 041272-EI, Order Number PSC-05-0748-FOF-EI, Issued: July 14, 2005. In re: Petition for approval of storm cost recovery clause for recovery of extraordinary expenditures related to Hurricanes Charley, Frances, Jeanne and Ivan, by Progress Energy Florida, Inc. By Order of the Florida Public Service Commission the 14<sup>th</sup> day of July 2005 – Acknowledge receipt.
7. Tentative Budget Submission for the Southwest Florida Water Management District for Fiscal Year 2005-2006, as mandated by Section 373.536(5), Florida Statutes – Acknowledge receipt.
8. Tentative Budget Submission for the St. Johns River Water Management District for Fiscal Year 2005-2006, pursuant to Chapter 373.536, Florida Statutes – Acknowledge receipt.

RECOMMENDATION:      Approval

**IV. COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 27)

**A. Budget**

Tab 3

1. Budget transfer – Employee Group Benefits Fund, Office of Employee Services, Risk and Benefits Management Division. Transfer \$1,550,000.00 from Special Reserve to Insurance Payment account. Medical and pharmacy claims have exceeded the budget for the year in Fund 530 – Employee Group Benefits. The original budget was \$4,500,000.00 for the year. Recent months indicate that expenditures may exceed \$6,000,000.00 in Fiscal Year 2005 due to the high number of claims and the high dollar amounts associated with some of the claims. Funding of approximately \$500,000.00 is expected to be received from the reinsurance carrier associated with some of these claims; however, these funds may not be received before the end of the fiscal year. Funds available in Special Reserve, leaving a balance after this transfer of \$673,019.00. This balance will increase if the reinsurance funds are received before the end of the fiscal year.

RECOMMENDATION: Approval

2. Budget transfer – General Fund, Department of Public Works, Parks and Recreation Division. Transfer \$36,043.00 from Professional Services to Repair and Maintenance. Additional funding is required for engineering design work for the Boundless Playground Project at Lake Idamere Park. This additional work is civil engineering which cannot be provided by the in-kind engineering services that have been provided up to this point in the project.

RECOMMENDATION: Approval

3. Approval of Check Request (Direct Pay) from the Sheriff's Office for reimbursement for computer laptops and adapters. The request exceeds the County Manager's approval limit of \$25,000.00. Total payment is for \$85,989.35.

RECOMMENDATION: Approval

Tab 4 Approval of signature authorization for County Manager to sign the monthly invoices from the Department of Juvenile Justice for the County and State Juvenile Detention Cost Share Project, and approval payment of the August 2005 Invoice for \$70,922.13.

RECOMMENDATION: Approval

**B. Community Services**

Tab 5 Approval and signature on Proclamation declaring September 2005 to be Teen Court Month, to be celebrated in conjunction with National Youth Court Month.

RECOMMENDATION: Approval

Tab 6 Approval and signature authorization to amend the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan effective the Fiscal Year 2005-2006.

RECOMMENDATION: Approval

Tab 7 Approval of Analysis of Impediments to Fair Housing Choice & Fair Housing Action Plan and to authorize the Chairman to sign the required certification relating to the Community Development Block Grant (CDBG) program.

RECOMMENDATION: Approval

**C. Economic Development and Tourism**

Tab 8 Approval of an Agreement between Lake County and the Economic Development Commission of Mid-Florida, Inc. to service the Industrial Development Authority for Fiscal Years 2006-2010.

RECOMMENDATION: Approval

**D. Employee Services**

Tab 9 Approval of an offer to settle Rita Homonai's claim for property damage subject to the County Attorney's review and approval, in the amount of \$563.32.

RECOMMENDATION: Approval

Tab 10 Approval to accept and sign the Mid-Contract Amendment for WebTPA to replace Employers Mutual, Inc. for Third Party Administrator (TPA) services in the RMTS policy for excess insurance coverage of the health insurance program.

RECOMMENDATION: Approval

**E. Facilities Development and Management**

Tab 11 Approval and authorization on the first Amendment to the Lease Agreement with C&P Properties in the amount of \$18,794.07 for Cooper Memorial Library Relocation; and approval of the associated budget transfer.

RECOMMENDATION: Approval

**F. Growth Management**

Tab 12 Approval and execution of a Satisfaction and Release of Fine for property owned by Robert and Betty McMullen, CEB Case Number 33-98.

RECOMMENDATION: Approval

Tab 13 Approval and execution of a Satisfaction and Release of Fine for property owned by Patricia Butler, CEB Case Number 75-96.

RECOMMENDATION: Approval

**G. Procurement Services**

Tab 14 Approval to award the contract for Architectural/Engineering Services for On Call Roofing Projects to Stafford Consulting Engineers in accordance with RSQ Number 05-047.

RECOMMENDATION: Approval

Tab 15 Approval and execution of the Supplemental Agreement Number 4 to the Contract with HNTB for Phase II of the Picciola Bridge Engineering, RFP 02-129, in the amount of \$297,977.28.

RECOMMENDATION: Approval

Tab 16 Approval and execution of the contract with Kimley-Horn and Associates, RSQ 05-071, for the engineering design services for CR 25A, CR 466A, CR 466 Segments A & B, and Lake Ella Road, in the amount of \$2,283,937.09.

RECOMMENDATION: Approval

Tab 17 Approval to award the contract for Architectural/Engineering Design for Various Government Facilities (South Tavares Complex) to Starmer Ranaldi Planning and Architecture, Inc., in accordance with RSQ Number 05-097, for \$210,000.00.

RECOMMENDATION: Approval

Tab 18 Approval to award the contract for repair of the Recycling Metal Building located at Environmental Services to Southern Building Services, Inc., in accordance with Bid Number 05-061, for \$44,122.00; and approval of associated Budget Transfer in the amount of \$44,122.00.

RECOMMENDATION: Approval

#### **H. Public Works**

Tab 19 Approval and authorization to release a Maintenance Bond in the amount of \$4,980.00 posted for Sunset Landing. Sunset Landing consists of 18 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 20 Approval and authorization to release a Letter of Credit for Performance in the amount of \$34,933.62; accept a Letter of Credit for Maintenance in the amount of \$23,451.70; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Charlie Johnson Builders, Inc.; and execute a Resolution accepting the following roads into the County Road Maintenance System: Fairvista Drive (County Road Number 4156) and Fairview Oaks Boulevard (County Road Number 4157), all related to Grand Oak Estates. Grand Oak Estates consists of 40 lots – Commission District 3.

RECOMMENDATION: Approval

Tab 21 Approval of an amendment to the Agreement between Lake County and Reynolds, Smith, and Hills to provide additional design/study services concerning the request for a noise wall along Britt Road at the location adjacent to the Country Club of Mount Dora.

RECOMMENDATION: Approval

Tab 22 Approval to accept the following listed public right of way deeds that have been secured in conjunction with roadway and/or stormwater projects: two Drainage Easement Deeds; one Statutory Quitclaim Deed; four Statutory Warranty Deeds; one Temporary Non-Exclusive Easement Deed; and two Warranty Deeds.

RECOMMENDATION: Approval

Tab 23 Approval and authorization to release a Letter of Credit for Performance in the amount of \$409,586.21 in relation to Park Hill; accept a Letter of Credit for Maintenance in the amount of \$147,964.00; execute a Developer's Agreement for Maintenance of Improvements between Lake County and Long Farms North, Inc.; and execute a Resolution accepting the following roads into the County Road Maintenance System: Park Hills Avenue (County Road Number 4423A), Green Pard Way (County Road Number 4424), and Parkdale Drive (County Road Number 4523B). Park Hill consists of 120 lots – Commission District 1.

RECOMMENDATION: Approval

Tab 24 Approval and authorization to award the South Lake Trail/Lake Minneola Trail Phase II Project Number 2005-05, Bid Number 05-101, to J. Malever Construction, Inc. in the amount of \$2,182,890.00, and encumber \$250,000.00 from the Renewal Sales Tax Capital Projects – Roads (Sidewalks) Fund. After October 1, 2005, request approval to encumber \$1,613,217.00 from the Transportation Trust Fund – LAP projects and encumber \$319,673.00 from the Renewal Sales Tax Capital Projects – Roads (Sidewalks) Fund. Commission District 2.

RECOMMENDATION: Approval



Tab 25 Approval and execution of a Resolution to initiate eminent domain proceedings; and authorization to proceed with the pre-suit negotiation offer, for right of way from Viola Buford in conjunction with the Sleepy Hollow Realignment Project, located in Section 20, Township 19 South, Range 25 East.

RECOMMENDATION: Approval

Tab 26 Approval and signature on Resolution to advertise Public Hearing for Vacation Petition Number 1057 by R. E. Oswalt, to vacate a right of way and cease maintenance on a portion of Jack Underwood Road (Number 1630), in the Plat of Groveland Farms, located in Section 15, Township 22 South, Range 25 East, in the Groveland area – Commission District 2.

RECOMMENDATION: Approval

Tab 27 Approval and authorization to award CR-48 Paved Shoulders (LAP) and Widening & Resurfacing Project Number 2005-14, Bid Number 05-122, to Art Walker Construction, Inc., in the amount of \$3,213,880.00; encumber \$840,000.00 from the Transportation Trust Fund (LAP) projects; and after October 1, 2005, encumber \$2,373,880.00 from the Renewal Sales Tax Capital Projects – Roads Fund. Commission District 3.

RECOMMENDATION: Approval

## **V. PRESENTATIONS/PUBLIC HEARINGS**

### **A. PRESENTATIONS – 9:00 A.M. or as Soon Thereafter**

#### **1. PRESENTATIONS**

**PRESENTATION:** Review of Lake County's Health Care Profiles, Summary of the WellFlorida Council's Activities; Report on Direct Care Services Provided to County Residents; and Provide Updated Information on Health Care Legislation by Jeff Feller, Resource Development Director, WellFlorida Council, formerly the North Central Florida Health Planning Council

Tab 28 **PRESENTATION:** New Funding Policy by the Florida Department of Transportation

**B. PUBLIC HEARINGS – 9:00 A.M. or as Soon Thereafter**

**1. PUBLIC HEARINGS**

Tab 29      **PUBLIC HEARING:** Ordinance Amending Definitions and Section 11.01.03 concerning Off-Site Signs (Final Hearing)

Tab 30      **PUBLIC HEARING:** Renewal of Certificate of Public Convenience and Necessity (COPCN) for the Villages Public Safety Department

Tab 31      **PUBLIC HEARING:** Approval of the 2006-2010 Road Impact Fee Transportation Construction Program, Approval of the 2006-2010 Transportation Trust Fund Transportation Construction Program, and Approval of the 2006-2010 Renewal Sales Tax Capital Projects – Roads Transportation Construction Program

**CITIZEN QUESTION AND COMMENT PERIOD**

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

**VI. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

**A. Budget (Tab 32)**

Tab 32      Approval of annual Legislative Issues Survey from the Florida Association of Counties for the 2006 Florida Legislative Session  
(Complete document to be submitted under separate cover).

RECOMMENDATION:                      Approval

**B. Community Services** (Tab 33 through 35)

Tab 33 Approval of Community Access Counselor positions to be hired as full-time, limited term County Employees.

RECOMMENDATION: Approval

Tab 34 Approval to contract with the Lake County Health Department to employ the Disease Managers for the Healthy Communities Access Program (HCAP).

RECOMMENDATION: Approval

Tab 35 Approval by the Board of County Commissioners of Pam Steinke as the Administrator of the Lake County Health Department.

RECOMMENDATION: Approval

**VII. OTHER BUSINESS** (Tab 36)

Tab 36 Appointment of individuals to vacant positions on the Public Safety Coordinating Council.

**VIII. REPORTS**

**A. County Attorney** (Tab 37 through 39)

Tab 37 Approval of renewal of Agreement between Lake County and Brett L. Swigert relating to outside legal services.

Tab 38 Approval and execution of License Agreement between Lake County and SunTrust Bank for a document drop box to be placed outside the Center State Bank building located in Leesburg.

Tab 39 Approval and execution of Agreement with RealVest Development for purchase of a portion of Lots 3 and 4, Lake County Central Park, Phase 1, for approximately 23 acres at \$75,000.00 per acre.

**B. County Manager**

**C. Commissioner Hill – Chairman and District #1**

**D. Commissioner Pool – District #2 (Tab 40)**

Tab 40            Approval and execution of a Proclamation declaring September 17 through 23, 2005 as Constitution Week.

**E. Commissioner Stivender – District #3**

**F. Commissioner Hanson – District #4**

**G. Commissioner Cadwell – District #5**

**The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.**

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**Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.**

**Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.**

**TENTATIVE AGENDA**

**AUGUST 23, 2005**

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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**TENTATIVE AGENDA**

**AUGUST 30, 2005**

9:00 A.M. Regular Meeting/Worksession

9:00 A.M. WORKSESSION: Presentation by Architects concerning Jail Expansion, Judicial Center,  
or as Soon and Parking Garage  
Thereafter

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**TENTATIVE AGENDA**

**SEPTEMBER 6, 2005**

9:00 A.M. Regular Meeting

9:00 A.M. PRESENTATION: Proclamation Honoring the South Lake High School Girls Softball Team  
or as Soon  
Thereafter

5:05 P.M. PUBLIC HEARING: First Budget Hearing  
or as Soon  
Thereafter

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**TENTATIVE AGENDA**

**SEPTEMBER 13, 2005**

9:00 A.M. Regular Meeting/Tentative

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**TENTATIVE AGENDA**

**SEPTEMBER 20, 2005**

9:00 A.M. Regular Meeting

5:05 P.M. PUBLIC HEARING: Final Budget Hearing  
or as Soon  
Thereafter

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**TENTATIVE AGENDA**

**SEPTEMBER 27, 2005**

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

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**TENTATIVE AGENDA**

**OCTOBER 4, 2005**

9:00 A.M. Regular Meeting

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